

THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:18-CV-29-FL

RUPERT FUTREAL, et al.,)	INITIAL DISCLOSURE
Plaintiffs,)	
vs.)	Fed. R. Civ. P. 26(a)(1)
DUSTIN RINGLE, et al.)	
Defendants.)	
)	

Defendants Enterprise Leasing Company – Southeast, LLC; EAN Holdings, LLC and Enterprise Holdings, Inc. (together, “Enterprise”) make the following disclosure pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedures. This disclosure is made without waiver of (1) any attorney-client, work product, or other privilege or protection which may apply to certain documents contained in the general categories of documents identified in this disclosure, (2) any objections on relevance or other grounds Enterprise may have to production and/or introduction into evidence of any documents identified, or (3) the protection afforded trade secrets and other confidential information contained in certain of the referenced documents, including Enterprise’s right to require a suitable protective order as a condition of production. Subject to and without waiver of the foregoing, Enterprise makes the following disclosure:

I. The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment

Pursuant to Fed. R. Civ. P. 26(a)(1)(A), and subject to the attorney-client privilege, attorney work product doctrine and any other applicable privilege or doctrine, the following individuals are likely to have discoverable information that Enterprise may use to support its claims or defenses:

1. Rupert Futreal, c/o Michael S. Rainey, YOUNG MOORE AND HENDERSON, P.A., P.O. Box 31627, Raleigh, N.C. 27622; (919) 782-6860; accident described in the

Amended Complaint; behavior that may have contributed to the accident; injuries sustained in the accident; medical history.¹

2. Dustin Ringle; c/o Camilla F. DeBoard, TEAGUE ROTENSTREICH STANALAND FOX & Holt, P.L.L.C., 101 S. Elm St., Ste. 350, P.O. Box 1898, Greensboro, N.C. 27402; (336) 272-4810; rental transaction with Enterprise; use of Enterprise vehicle; events leading up to accident described in the Amended Complaint; accident described in the Amended Complaint; behavior that may have contributed to the accident.

3. Joseph True; c/o Jeffrey H. Blackwell, Devlin K. Horton, HEDRICK GARDNER KINCHELOE & GAROFALO, LLP, 300 N. Third St. Ste. 420, Wilmington, N.C. 28401; (910) 679-4801; rental transaction with Enterprise; use of Enterprise vehicle; behavior that may have contributed to the accident.

4. Glen Jacobson; c/o J. Douglas Baldridge, Theodore B. Randles, VENABLE LLP, 600 Massachusetts Ave NW, Washington DC 20001, (202) 344-4271; rental transaction with Joseph True.

Enterprise reserves the right to supplement and/or modify this list as discovery continues in this action, and incorporates all persons named by any other party to this action.

II. A copy – or a description by category and location – of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Enterprise anticipates that it may use the following documents and/or categories of documents to support its claims or defenses:

1. Rental Agreement between Enterprise and True's Custom Floor Covering, Inc.;
2. Driving records of Dustin Ringle;
3. Correspondence from Kansas Department of Revenue;
4. Investigative file on accident.

Enterprise is investigating this matter and will search for relevant documents, electronically stored information, and tangible things, and reserves its right to supplement this initial disclosure to the extent additional documents or categories of responsive materials are located.

¹ The descriptions of potential testimony for each listed individual are illustrative and are not to be construed as exhaustive.

III. A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered

Enterprise is not seeking damages in this action, though it may seek contribution under applicable law should any damages be awarded.

IV. For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment

Enterprise is self-insured with respect to any verdict that may be rendered in this action.

This 30th day of May, 2018

Respectfully Submitted,

/s/ R. Anthony Hartsoe

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Counsel for EAN Holdings, LLC; Enterprise Leasing Company – Southeast, LLC and Enterprise Holdings, Inc.

Certificate of Service

I hereby certify that a copy of the foregoing Initial Disclosure was delivered this 30th day of May, 2018, to all counsel of record by electronic mail and as follows:

By U.S. Mail

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